

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

VIAAS INC.,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

CIVIL ACTION NO. 6:22-cv-01048-KC

PATENT CASE

JURY TRIAL DEMANDED

**DECLARATION OF NICHOLAS LEE IN SUPPORT OF GOOGLE LLC'S OPPOSED
MOTION TO DISMISS FOR LACK OF STANDING AND FAILURE TO STATE A
CLAIM UNDER RULES 12(b)(1) AND 12(b)(6)**

I, Nicholas Lee, declare as follows:

1. I am a partner at the law firm of Arnold & Porter Kaye Scholer LLP, counsel for Defendant Google LLC ("Google"). I have personal knowledge of the facts stated herein and, if called to testify, could and would competently testify thereto.

2. Attached as Exhibit 1 is a true and correct copy of the United States Patent and Trademark Office ("USPTO") assignments record associated with U.S. Patent No. 8,558,888 ("the '888 patent"), available at

<https://patentcenter.uspto.gov/applications/12395437/assignments/abstract>.

3. Attached as Exhibit 2 is a true and correct copy of a document recorded at reel/frame no. 029218/0107, available at <https://legacy-assignments.uspto.gov/assignments/assignment-pat-029218-0107.pdf>.

4. Attached as Exhibit 3 is a true and correct copy of a document recorded at reel/frame no. 045027/0870, available at <https://legacy->

[assignments.uspto.gov/assignments/assignment-pat-045027-0870.pdf](https://legacy-assignments.uspto.gov/assignments/assignment-pat-045027-0870.pdf), and titled “Termination and Release of Patent Security Agreement.”

5. Attached as Exhibit 4 is a true and correct copy of a document recorded at reel/frame no. 02333/0479, available at <https://legacy-assignments.uspto.gov/assignments/assignment-pat-022333-0479.pdf>, and titled “Assignment of Application.”

6. Attached as Exhibit 5 is a true and correct copy of a document recorded at reel/frame no. 041069/0270, available at <https://legacy-assignments.uspto.gov/assignments/assignment-pat-041069-0270.pdf>, and titled “Indemnity Agreement.”

7. Attached as Exhibit 6 is a true and correct copy of a document recorded at reel/frame no. 042834/0050, available at <https://legacy-assignments.uspto.gov/assignments/assignment-pat-042834-0050.pdf>, and titled “Bill of Sale, Assignment and Assumption Agreement.”

8. Attached as Exhibit 7 is a true and correct copy of the USPTO assignments record associated with U.S. Patent No. 9,472,069 (“the ’069 patent”), available at <https://patentcenter.uspto.gov/applications/13666879/assignments/abstract>.

9. Attached as Exhibit 8 is a true and correct copy of a document recorded at reel/frame no. 036956/0886, available at <https://legacy-assignments.uspto.gov/assignments/assignment-pat-036956-0886.pdf>, and titled “Assignment of Patent Application.”

10. Attached as Exhibit 9 is a true and correct copy of a document recorded at reel/frame no. 042834/0050, available at [https://legacy-](https://legacy-assignments.uspto.gov/assignments/assignment-pat-042834-0050.pdf)

[assignments.uspto.gov/assignments/assignment-pat-042834-0050.pdf](https://legacy-assignments.uspto.gov/assignments/assignment-pat-042834-0050.pdf), and titled “Bill of Sale, Assignment And Assumption Agreement.”

11. Attached as Exhibit 10 is a true and correct copy of a document recorded at reel/frame no. 061377/0208, available at <https://legacy-assignments.uspto.gov/assignments/assignment-pat-061377-0208.pdf>, and titled “Grant of First Lien, Security Interest in Patent Rights.”

12. Attached as Exhibit 11 is a true and correct copy of a document recorded at reel/frame no. 061377/0231, available at <https://legacy-assignments.uspto.gov/assignments/assignment-pat-061377-0231.pdf>, and titled “Grant of Second Lien, Security Interest in Patent Rights.”

I declare under the laws of the United States of America that the foregoing is true and correct. Executed January 30, 2023 in Los Angeles, California.



Nicholas Lee